P 4

Sectt. II-27—50,006—27-10-41.

(194) Department.

MS. **SERIES.**

G.O. No. MS. 2572,

Dated 14th November 1942.

Dated ~~14th October~~ 1942.

[Despatch Abstract.]

Trees - (South Kanara) - Karkal Taluk and village - S.No.125/1 A Dhupa" trees - permission to cut and" sell and utilise the sale proceeds for repairing the mosque - Granted.

C. No. 4721 4/32 Rev Department.

List of records put up

Number.	Date.	Department.	Signature of Clerk putting up the paper.	Signature of Clerk removing the paper.
G.O. 2306 (S.C.)	8.11.34	Rev		Read to records
G.O. 548	29.2.40			18/11/40

4721E Revenue Department
Subject.

Trees (South Kanara)- Karkal taluk and village - S.No. 125/1A- Dhupa trees- free grant-repair of Mosque- application of the Khaj for permission- requested.

Reference No.i. 865/42-3
Station, " Salem, dated the 24th October 1942.

From

S.Y.Krishnaswami Esq., I.C.S.,
Secretary, Board of Revenue.

F.W.Stewart Esq., C.I.E., M.C., I.C.S.,
Commissioner of Land Revenue

Read the following:-

Letter from M.Karamatullah Esq., I.C.S., Collector of South Kanara No. Ref.C. 1348-42-B1, dated 15th June 1942

Forests - - (South Kanara) -Karkal taluk -Karkal village- S.No. 125/1A - certain dhupa trees-free grant for repair of mosque - sanction-requested.

S.No.125/1A of Karkal village stands registered as poramboke Burial ground in the Revenue accounts. The burial ground is attached to the mosque in S.No.152/21 of Karkal village. The khazi of the mosque Syed Hussain Kheirullah Saheb of Karkal prays for permission to cut and sell the 51 dhupa trees standing in S.No. 125/1A and utilise the sale proceeds for repairing the mosque, on the ground that the said trees were planted and conserved by his predecessors and that they are a constant source of danger to the graves in S.No.125/1A and to pedestrians and others passing along the

the L.F.Road in S.No.121 and requests that he may be allowed to cut and use them for purposes of repairing the mosque.

2. The seigniorage value of the 51 dhupa trees comes to Rs.835-7-5 The mosque is a religious institution receiving tasdik from Government. The grant of the petitioner's request will usefully serve the needs of the whole Muhammadan Community at Karkal.

3. In G.C.No.2306, Revenue, dated 8-11-34 the Government have -- directed that the authorities of temples shall be permitted to exercise rights of ownership over trees standing on such portions of temple poramboke as are enclosed within the boundary walls of temples. The burial ground on which the trees stand is enclosed by mud walls and is attached to the mosque. It would be one with the mosque but for the existence of the L.F.Road (S.No.121) in the middle. Mosques and burial grounds exist in a compact compound on many localities in this district.

4. Under Rule 7-A(6) of the rules framed under Section 26 of the Madras Forest Act, Collectors are competent to grant gifts of trees, timber or other forest produce to religious institutions only from kumaki lands for building purposes. But the rules do not apply to the present case, as poramboke lands have no kumaki privileges. I therefore, submit this case for the orders of the Board and recommend that the petitioner may be allowed to cut and sell the 51 dhupa trees in S.No.125/1A and utilise the sale proceeds for the purpose of repairing the mosque.

5. The records of enquiry with eye-sketches in duplicate are enclosed.

Reference Letter from The Collector of South Kanara, Cp.C/3148 Rec BI/1348-42 dt 30-9-42. - nil

Submitted to the Government.

2. The Collector has since reported that the trees have been conserved by the Mosque authorities. The Board recommends that the Khazi of the mosque may be permitted to cut and sell the dhupa trees and utilise the proceeds for the benefit of the mosque.

TRL Narasimhan
for Secretary.

To the Secretary to Government,
Revenue Department, Stonehouse Hill, The Nilgiris
R.V./24-10-42. with enclosures to be returned. (a file of 21 pages).

29/11-42 Rev. Deptt

(CNo. 4721-E/42) From the Bd. of Rev., Ref. No. i.865/42-3

dt 24.10.42

G.O. Ms. No. 2572 dated 14.11.42

In the circumstances stated, the Govt. permit the Khazi of the mosque in S.No. 152/21 of Karkal village to cut and sell the 51 'dhupa' trees in S.No. 125/1A of Karkal village, Karkal (which is a burial ground poramboke attached to the mosque) Taluk, South Kanara district and to utilise the sale proceeds for the purpose of repairing the mosque.

To the Bd. of Rev (with endgs from the Coll. of S. Kanara. & to the Bd. of Rev

2.11.42

3.11.42

3.11.42

PTO

Note: The draft order overleaf

may be submitted to Finance for acceptance

(Pl see the order in Sr No 548 Rev. dy 29.2.40. p. 14 ®

The sanction of the Govt is applied for in

this case as apprehended because the trees are on

Poramboke & Minor Judicial attached to the mosque)

3.11.42

3.11.42

Rev. No. 4721. E/42-1

3.11.42

To Finance (Expdr): 19112 each

4.11.42

The draft order on page 1 ante may be accepted and the case returned to Rev.

7.11.42 (The value of the site Comes to about Rs 895.)

7/11/42

14.11.42

4 NOV 1942 REVENUE DEPARTMENT, COVT

SECRETARY TO GOVT. No. 19112/6 Exp.

13 NOV 1942 13.11.42

4946 E

REVENUE DEPARTMENT

14-11-42